

1 44. The acts and conduct of Defendants, and each of them, including, but not limited
2 to, Braff, Lord, Tran and Pham, constituted "malice," "oppression" and/or "fraud" (as those terms
3 are defined in California Civil Code § 3294(c)), in that it was intended by Defendants, and each
4 of them, to cause injury to Plaintiff or was despicable conduct which was carried on by the
5 Defendants, and each of them, with a willful and conscious disregard of the rights of Plaintiff.

6 45. The acts of Defendants, and each of them, were done fraudulently, maliciously and
7 oppressively and with the advance knowledge, conscious disregard, authorization, ratification or
8 act of oppression, within the meaning of Civil Code § 3294 on the part of Defendants' officers,
9 directors, or managing agents of the corporation. The actions and conduct of Defendants, and
10 each of them, were intended to cause injury to Plaintiff and constituted deceit and concealment of
11 material facts known to Defendants, and each of them, with the intention on the Defendants' part
12 to deprive Plaintiff of property and legal rights, justifying an award of exemplary and punitive
13 damages in an amount according to proof.

14 46. Plaintiff is entitled to attorneys' fees pursuant to Government Code § 12965.

15
16 THIRD CAUSE OF ACTION

17 FAILURE TO ACCOMMODATE DISABILITY IN VIOLATION OF FEHA

18 (Against Defendant and DOES 1-60, inclusive)

19 47. As a separate and distinct cause of action, Plaintiff complains and realleges all of
20 the allegations contained in this Complaint, and incorporates them by reference into this cause of
21 action as though fully set forth herein, excepting those allegations which are inconsistent with this
22 cause of action.

23 48. Pursuant to California Government Code §§ 12940(m) and 12945(c), Defendant
24 and DOES 1-60 inclusive, were required to reasonably accommodate Plaintiff's disability.
25 Instead of reasonably accommodating Plaintiff, Defendants terminated Plaintiff for no legitimate
26 reason.

27 49. By engaging in the above- referenced acts and omissions, Defendants and DOES
28 1-60, and each of them, failed to accommodate Plaintiff's disability.

1 50. Defendants terminated Plaintiff's employment as a direct result of Defendants'
2 (and DOES 1-60 inclusive) failure to accommodate Plaintiff's known disability, among other
3 unlawful reasons.

4 51. As a proximate result of Defendants' wrongful conduct, Plaintiff has sustained and
5 continues to sustain economic damages in earnings and other employment benefits in an amount
6 according to proof.

7 52. As a proximate result of Defendants' wrongful conduct, Plaintiff has sustained and
8 continues to sustain non-economic damages and emotional distress, including, but not limited to,
9 loss of sleep, anxiety, tension, depression, and humiliation.

10 53. Plaintiff has sustained general and special damages within the jurisdictional limits
11 of this Court.

12 54. The acts and conduct of Defendants, and each of them, including, but not limited
13 to, Braff, Lord, Tran and Pham, constituted "malice," "oppression" and/or "fraud" (as those terms
14 are defined in California Civil Code § 3294(c)), in that it was intended by Defendants, and each
15 of them, to cause injury to Plaintiff or was despicable conduct which was carried on by the
16 Defendants, and each of them, with a willful and conscious disregard of the rights of Plaintiff.

17 55. The acts of Defendants, and each of them, were done fraudulently, maliciously and
18 oppressively and with the advance knowledge, conscious disregard, authorization, ratification or
19 act of oppression, within the meaning of Civil Code § 3294 on the part of Defendants' officers,
20 directors, or managing agents of the corporation. The actions and conduct of Defendants, and
21 each of them, were intended to cause injury to Plaintiff and constituted deceit and concealment of
22 material facts known to Defendants, and each of them, with the intention on the Defendants' part
23 to deprive Plaintiff of property and legal rights, justifying an award of exemplary and punitive
24 damages in an amount according to proof.

25 56. Plaintiff is entitled to attorneys' fees pursuant to Government Code § 12965.

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FOURTH CAUSE OF ACTION

**FAILURE TO TAKE ALL REASONABLE STEPS TO PREVENT DISCRIMINATION
AND RETALIATION IN VIOLATION OF FEHA**

(Against Defendant and DOES 1-60, inclusive)

57. As a separate and distinct cause of action, Plaintiff complains and realleges all of the allegations contained in this Complaint, and incorporates them by reference into this cause of action as though fully set forth herein, excepting those allegations which are inconsistent with this cause of action.

58. At all times mentioned in this Complaint, the California Fair Employment and Housing Act ("FEHA"), Government Code §§ 12940 *et seq.*, was in full force and effect and was binding on Defendants, and each of them. These sections required Defendants, and each of them, to take all reasonable steps to maintain a workplace environment free from unlawful discrimination and retaliation.

59. Defendants and each of them, and DOES 1-60 discriminated against and retaliated against Plaintiff because of Plaintiff's disability and because Plaintiff requested reasonable accommodation and protected leave and took protected leave by wrongfully terminating Plaintiff.

60. By engaging in the above-referenced acts and omissions, Defendants, and each of them, failed to take all reasonable steps maintain a workplace environment free from unlawful discrimination and retaliation in violation of Government Code §§ 12940 *et seq.*

61. As a proximate result of Defendants' wrongful conduct, Plaintiff has sustained and continues to sustain economic damages in earnings and other employment benefits in an amount according to proof.

62. As a proximate result of Defendants' wrongful conduct, Plaintiff has sustained and continues to sustain non-economic damages and emotional distress, including, but not limited to, loss of sleep, anxiety, tension, depression, and humiliation.

63. Plaintiff has sustained general and special damages within the jurisdictional limits of this Court.

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1 64. The acts and conduct of Defendants, and each of them, including, but not limited
2 to Braff, Lord, Tran and Pham, constituted "malice," "oppression" and/or "fraud" (as those terms
3 are defined in California Civil Code § 3294(c)), in that it was intended by Defendants, and each
4 of them, to cause injury to Plaintiff or was despicable conduct which was carried on by the
5 Defendants, and each of them, with a willful and conscious disregard of the rights of Plaintiff.

6 65. The acts of Defendants, and each of them, were done fraudulently, maliciously and
7 oppressively and with the advance knowledge, conscious disregard, authorization, ratification or
8 act of oppression, within the meaning of Civil Code § 3294 on the part of Defendants' officers,
9 directors, or managing agents of the corporation. The actions and conduct of Defendants, and
10 each of them, were intended to cause injury to Plaintiff and constituted deceit and concealment of
11 material facts known to Defendants, and each of them, with the intention on the Defendants' part
12 to deprive Plaintiff of property and legal rights, justifying an award of exemplary and punitive
13 damages in an amount according to proof.

14 66. Plaintiff is entitled to attorneys' fees pursuant to Government Code § 12965.

15
16 FIFTH CAUSE OF ACTION

17 RETALIATION IN VIOLATION OF FEHA

18 (Against Defendants, and Each of Them, and DOES 1-60)

19 67. As a separate and distinct cause of action, Plaintiff complains and realleges all of
20 the allegations contained in this Complaint, and incorporates them by reference into this cause of
21 action as though fully set forth herein, excepting those allegations which are inconsistent with this
22 cause of action.

23 68. Defendants, and each of them, including their agents, employees and
24 representatives, are subject to suit under Sections 12940, *et seq.*, of the California Fair
25 Employment and Housing Act ("FEHA").

26 69. On August 6, 2014, Mr. Guzman requested his written review and complained he
27 had not received a retroactive raise as promised in Mr. Musk's July 18, 2014 email. Mr. Braff
28 insisted upon meeting with Mr. Guzman before finalizing the review.

1 70. Following up on his good faith complaint, Mr. Guzman indicated he had various
2 questions that remained and inquired who he should speak to in Human Resources to address
3 them.

4 71. Plaintiff took part in the protected activities of complaining about what he
5 reasonable believed to be discrimination and requesting accommodation and taking protected
6 leave as herein alleged. Plaintiff also followed up after his requests were ignored and/or denied.

7 72. In retaliation therefore, Defendants terminated Plaintiff's employment.

8 73. In engaging in the aforementioned conduct, Defendants, and each of them, aided,
9 abetted, incited, compelled and/or coerced unlawful employment practices in violation of well-
10 known policies of this State against such practices. Specifically, Defendants, and each of them,
11 violated Sections 12940(h) and 12945 of the FEHA.

12 74. As a proximate result of Defendants' wrongful conduct, Plaintiff has sustained and
13 continues to sustain economic damages in earnings and other employment benefits in an amount
14 according to proof.

15 75. As a proximate result of Defendants' wrongful conduct, Plaintiff has sustained and
16 continues to sustain non-economic damages and emotional distress, including, but not limited to,
17 loss of sleep, anxiety, tension, depression, and humiliation.

18 76. The acts and conduct of Defendants, and each of them, including but not limited to
19 Braff, Lord, Tran and Pham, constituted "malice," "oppression" and/or "fraud" (as those terms
20 are defined in California Civil Code § 3294(c)), in that it was intended by Defendants, and each
21 of them, to cause injury to Plaintiff or was despicable conduct which was carried on by the
22 Defendants, and each of them, with a willful and conscious disregard of the rights of Plaintiff.

23 77. The acts of Defendants, and each of them, were done fraudulently, maliciously and
24 oppressively and with the advance knowledge, conscious disregard, authorization, ratification or
25 act of oppression, within the meaning of Civil Code § 3294 on the part of Defendants' officers,
26 directors, or managing agents of the corporation. The actions and conduct of Defendants, and
27 each of them, were intended to cause injury to Plaintiff and constituted deceit and concealment of
28 material facts known to Defendants, and each of them, with the intention on the Defendants' part

1 to deprive Plaintiff of property and legal rights, justifying an award of exemplary and punitive
2 damages in an amount according to proof.

3 78. Plaintiff will also seek and is entitled to recover attorneys' fees in connection with
4 this cause of action under Government Code § 12965.

5
6 SIXTH CAUSE OF ACTION
7 INTERFERENCE WITH LEAVE
8 IN VIOLATION OF THE CALIFORNIA FAMILY RIGHTS ACT
9 (Against All Defendants and DOES 1-60, inclusive)

10 79. As a separate and distinct cause of action, Plaintiff complains and realleges all of
11 the allegations contained in this Complaint, and incorporates them by reference into this cause of
12 action as though fully set forth herein, excepting those allegations which are inconsistent with this
13 cause of action.

14 80. Plaintiff was an employee of Defendants who qualified for leave due to his own
15 serious health condition pursuant to California Government Code §§ 12945.2, *et seq.*

16 81. At all times herein mentioned, Defendants were "Employer[s]" within the
17 definition of Government Code § 12945.2, in that Defendants regularly employed 50 or more
18 people.

19 82. Plaintiff needed time off to seek care for his own serious health condition and
20 Plaintiff was qualified for protected leave under California Family Rights Act/Family Medical
21 Leave Act for his own serious health condition.

22 83. Defendants, and each of them, and DOES 1 to 60, inclusive, interfered with
23 Plaintiff's protected leave and terminated Plaintiff's employment in retaliation for requesting and
24 taking his protected leave.

25 84. Defendants, and each of them, failed to adhere to their duties to provide Notice in
26 accordance with the regulations governing the California Family Rights Act/Family Medical
27 Leave Act.

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1 85. Defendants are estopped from asserting that Plaintiff was not entitled to leave as a
2 result of their acts and omissions.

3 86. As a proximate result of Defendants' wrongful conduct, Plaintiff has sustained,
4 and continues to sustain, economic damages in earnings and other employment benefits in an
5 amount according to proof.

6 87. As a proximate result of Defendants' wrongful conduct, Plaintiff has sustained,
7 and continues to sustain, non-economic damages and emotional distress, including, but not
8 limited to, loss of sleep, anxiety, tension, depression and humiliation.

9 88. Plaintiff has sustained general and special damages within the jurisdictional limits
10 of this Court.

11 89. The acts and conduct of Defendants, and each of them, including, but not limited
12 to, Braff, Lord, Tran and Pham, constituted "malice," "oppression" and/or "fraud" (as those terms
13 are defined in California Civil Code § 3294©), in that it was intended by Defendants, and each of
14 them, to cause injury to Plaintiff or was despicable conduct which was carried on by the
15 Defendants, and each of them, with a willful and conscious disregard of the rights of Plaintiff.

16 90. The acts of Defendants, and each of them, were done fraudulently, maliciously and
17 oppressively and with the advance knowledge, conscious disregard, authorization, ratification or
18 act of oppression, within the meaning of Civil Code § 3294 on the part of Defendants' officers,
19 directors, or managing agents of the corporation. The actions and conduct of Defendants, and
20 each of them, were intended to cause injury to Plaintiff and constituted deceit and concealment of
21 material facts known to Defendants, and each of them, with the intention on the Defendants' part
22 to deprive Plaintiff of property and legal rights, justifying an award of exemplary and punitive
23 damages in an amount according to proof.

24 91. Plaintiff is entitled to attorneys' fees pursuant to Government Code § 12965.

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28

1 SEVENTH CAUSE OF ACTION

2 WRONGFUL TERMINATION VIOLATION OF PUBLIC POLICY

3 (Against Defendant and DOES 1-60, inclusive)

4 92. As a separate and distinct cause of action, Plaintiff complains and realleges all of
5 the allegations contained in this Complaint, and incorporates them by reference into this cause of
6 action as though fully set forth herein, excepting those allegations which are inconsistent with this
7 cause of action.

8 93. At all times herein mentioned, the public policy of the State of California, as
9 codified, expressed and mandated in California Government Code § 12940, was to prohibit
10 employers from harassing, discriminating and retaliating against any individual based on
11 perceived and/or physical disability(s), and/or based upon exercise of rights under that section.
12 This public policy of the State of California is designed to protect all employees and to promote
13 the welfare and well-being of the community at large. Accordingly, the actions of Defendants,
14 and each of them, in discriminating against, retaliating against and terminating Plaintiff's
15 employment on the grounds stated above, or for complaining about such discrimination and
16 retaliation, was wrongful and in contravention and violation of the express public policy of the
17 State of California, to wit, the policy set forth in California Government Code §§ 12940 *et seq.*,
18 and the laws and regulations promulgated thereunder.

19 94. At all times herein mentioned, the public policy of the State of California, as
20 codified, expressed and mandated in California Government Code § 12945.2, was to prohibit
21 employers from discriminating and retaliating against any individual based on their taking leave,
22 requesting or needing accommodation. This public policy of the State of California is designed to
23 protect all employees and to promote the welfare and well-being of the community at large.

24 95. Accordingly, the actions of Defendants, and each of them, in discriminating
25 against, retaliating against and terminating Plaintiff's employment on the grounds stated above, or
26 for complaining about such discrimination and retaliation, was wrongful and in contravention and
27 violation of the express public policy of the State of California, to wit, the policy set forth in
28 California Government Code §§ 12945.2, *et seq.*, and the laws and regulations promulgated there

1 under.

2 96. Defendant's discharge of Plaintiff violated the aforementioned fundamental
3 principles of public policy.

4 97. As a proximate result of Defendants' wrongful conduct, Plaintiff has sustained and
5 continues to sustain economic damages in earnings and other employment benefits in an amount
6 according to proof.

7 98. As a proximate result of Defendant's wrongful conduct, Plaintiff has sustained and
8 continues to sustain non-economic damages and emotional distress, including but not limited to,
9 loss of sleep, anxiety, tension, depression, and humiliation.

10 99. Plaintiff has sustained general and special damages within the jurisdictional limits
11 of this Court.

12 100. The acts and conduct of Defendants, and each of them, including, but not limited
13 to, Braff, Lord, Tran and Pham, constituted "malice," "oppression" and/or "fraud" (as those terms
14 are defined in California Civil Code § 3294(c)), in that it was intended by Defendants, and each
15 of them, to cause injury to Plaintiff or was despicable conduct which was carried on by the
16 Defendants, and each of them, with a willful and conscious disregard of the rights of Plaintiff.

17 101. The acts of Defendants, and each of them, were done fraudulently, maliciously and
18 oppressively and with the advance knowledge, conscious disregard, authorization, ratification or
19 act of oppression, within the meaning of Civil Code § 3294 on the part of Defendants' officers,
20 directors, or managing agents of the corporation. The actions and conduct of Defendants, and
21 each of them, were intended to cause injury to Plaintiff and constituted deceit and concealment of
22 material facts known to Defendants, and each of them, with the intention on the Defendants' part
23 to deprive Plaintiff of property and legal rights, justifying an award of exemplary and punitive
24 damages in an amount according to proof.

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28

PRAYER FOR RELIEF

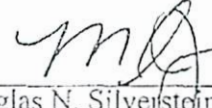
WHEREFORE, Plaintiff prays for judgment as follows:

1. General and special damages according to proof;
2. Costs of suit incurred herein, including expert fees;
3. Reasonable attorneys' fees pursuant to Government Code § 12965;
4. Punitive and exemplary damages;
5. A declaratory judgment that the practices complained of herein are unlawful under California law for which claims are herein pleaded;
6. Pre-Judgment and post-judgment interest as provided by law; and
7. Such other and further and equitable relief as this Court deems necessary, just and proper.

DATED: March 6, 2015

KESLUK, SILVERSTEIN & JACOB, P.C.

By


 Douglas N. Silverstein, Esq.
 Michael G. Jacob, Esq.
 Attorneys for Plaintiff GILBERT GUZMAN

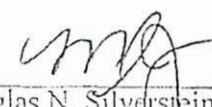
JURY TRIAL DEMAND

Plaintiff hereby demands a jury trial on all issues so triable.

DATED: March 6, 2015

KESLUK, SILVERSTEIN & JACOB, P.C.

By


 Douglas N. Silverstein, Esq.
 Michael G. Jacob, Esq.
 Attorneys for Plaintiff GILBERT GUZMAN

CM-010

ATTORNEY OR PARTY WITHOUT ATTORNEY (Name, State Bar number, and address) Douglas N. Silverstein, Esq. (SBN 181957) Michael G. Jacob, Esq. (SBN 229939) KESLUK, SILVERSTEIN & JACOB, P.C. 9255 Sunset Boulevard, Suite 411 Los Angeles, CA 90069 TELEPHONE NO.: (310) 273-3180 FAX NO.: (310) 273-6137 ATTORNEY FOR (Name): Plaintiff GILBERT GUZMAN		FOR COURT USE ONLY CONFORMED COPY ORIGINAL FILED Superior Court of California County of Los Angeles MAR 09 2015 Sherri R. Carter, Executive Officer/Clerk By Cristina Grijalva, Deputy
SUPERIOR COURT OF CALIFORNIA, COUNTY OF LOS ANGELES STREET ADDRESS: 111 North Hill Street MAILING ADDRESS: CITY AND ZIP CODE: Los Angeles, CA 90012 BRANCH NAME: Stanley Mosk Courthouse		
CASE NAME: Gilbert Guzman vs. Space Exploration Technologies Corp., et al.		
CIVIL CASE COVER SHEET <input checked="" type="checkbox"/> Unlimited (Amount demanded exceeds \$25,000) <input type="checkbox"/> Limited (Amount demanded is \$25,000 or less) Complex Case Designation <input type="checkbox"/> Counter <input type="checkbox"/> Joinder Filed with first appearance by defendant (Cal. Rules of Court, rule 3.402)		
		CASE NUMBER: JUDGE: BC 574 495 DEPT:

Items 1-6 below must be completed (see instructions on page 2).

1. Check one box below for the case type that best describes this case:

Auto Tort <input type="checkbox"/> Auto (22) <input type="checkbox"/> Uninsured motorist (46) Other PI/PD/WD (Personal Injury/Property Damage/Wrongful Death) Tort <input type="checkbox"/> Asbestos (04) <input type="checkbox"/> Product liability (24) <input type="checkbox"/> Medical malpractice (45) <input type="checkbox"/> Other PI/PD/WD (23) Non-PI/PD/WD (Other) Tort <input type="checkbox"/> Business tort/unfair business practice (07) <input type="checkbox"/> Civil rights (08) <input type="checkbox"/> Defamation (13) <input type="checkbox"/> Fraud (16) <input type="checkbox"/> Intellectual property (19) <input type="checkbox"/> Professional negligence (25) <input type="checkbox"/> Other non-PI/PD/WD tort (35) Employment <input checked="" type="checkbox"/> Wrongful termination (36) <input type="checkbox"/> Other employment (15)	Contract <input type="checkbox"/> Breach of contract/warranty (06) <input type="checkbox"/> Rule 3.740 collections (09) <input type="checkbox"/> Other collections (09) <input type="checkbox"/> Insurance coverage (18) <input type="checkbox"/> Other contract (37) Real Property <input type="checkbox"/> Eminent domain/Inverse condemnation (14) <input type="checkbox"/> Wrongful eviction (33) <input type="checkbox"/> Other real property (26) Unlawful Detainer <input type="checkbox"/> Commercial (31) <input type="checkbox"/> Residential (32) <input type="checkbox"/> Drugs (38) Judicial Review <input type="checkbox"/> Asset forfeiture (05) <input type="checkbox"/> Petition re: arbitration award (11) <input type="checkbox"/> Writ of mandate (02) <input type="checkbox"/> Other judicial review (39)	Provisionally Complex Civil Litigation (Cal. Rules of Court, rules 3.400-3.403) <input type="checkbox"/> Antitrust/Trade regulation (03) <input type="checkbox"/> Construction defect (10) <input type="checkbox"/> Mass tort (40) <input type="checkbox"/> Securities litigation (28) <input type="checkbox"/> Environmental/Toxic tort (30) <input type="checkbox"/> Insurance coverage claims arising from the above listed provisionally complex case types (41) Enforcement of Judgment <input type="checkbox"/> Enforcement of judgment (20) Miscellaneous Civil Complaint <input type="checkbox"/> RICO (27) <input type="checkbox"/> Other complaint (not specified above) (42) Miscellaneous Civil Petition <input type="checkbox"/> Partnership and corporate governance (21) <input type="checkbox"/> Other petition (not specified above) (43)
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2. This case ☐ is ☒ is not complex under rule 3.400 of the California Rules of Court. If the case is complex, mark the factors requiring exceptional judicial management:
- a. ☐ Large number of separately represented parties d. ☐ Large number of witnesses
- b. ☐ Extensive motion practice raising difficult or novel issues that will be time-consuming to resolve e. ☐ Coordination with related actions pending in one or more courts in other counties, states, or countries, or in a federal court
- c. ☐ Substantial amount of documentary evidence f. ☐ Substantial postjudgment judicial supervision
3. Remedies sought (check all that apply): a. ☒ monetary b. ☒ nonmonetary; declaratory or injunctive relief c. ☒ punitive
4. Number of causes of action (specify): Seven (7)
5. This case ☐ is ☒ is not a class action suit.

6. If there are any known related cases, file and serve a notice of related case. (You may use form CM-015.)

Date: March 6, 2015

Michael G. Jacob, Esq.

(TYPE OR PRINT NAME)

(SIGNATURE OF PARTY OR ATTORNEY FOR PARTY)

NOTICE

- Plaintiff must file this cover sheet with the first paper filed in the action or proceeding (except small claims cases or cases filed under the Probate Code, Family Code, or Welfare and Institutions Code). (Cal. Rules of Court, rule 3.220.) Failure to file may result in sanctions.
- File this cover sheet in addition to any cover sheet required by local court rule.
- If this case is complex under rule 3.400 et seq. of the California Rules of Court, you must serve a copy of this cover sheet on all other parties to the action or proceeding.
- Unless this is a collections case under rule 3.740 or a complex case, this cover sheet will be used for statistical purposes only.

Page 1 of 2

CM-010

INSTRUCTIONS ON HOW TO COMPLETE THE COVER SHEET

To Plaintiffs and Others Filing First Papers. If you are filing a first paper (for example, a complaint) in a civil case, you must complete and file, along with your first paper, the *Civil Case Cover Sheet* contained on page 1. This information will be used to compile statistics about the types and numbers of cases filed. You must complete items 1 through 6 on the sheet. In item 1, you must check *one box* for the case type that best describes the case. If the case fits both a general and a more specific type of case listed in item 1, check the more specific one. If the case has multiple causes of action, check the box that best indicates the *primary* cause of action. To assist you in completing the sheet, examples of the cases that belong under each case type in item 1 are provided below. A cover sheet must be filed only with your initial paper. Failure to file a cover sheet with the first paper filed in a civil case may subject a party, its counsel, or both to sanctions under rules 2.30 and 3.220 of the California Rules of Court.

To Parties in Rule 3.740 Collections Cases. A "collections case" under rule 3.740 is defined as an action for recovery of money owed in a sum stated to be certain that is not more than \$25,000, exclusive of interest and attorney's fees, arising from a transaction in which property, services, or money was acquired on credit. A collections case does not include an action seeking the following: (1) tort damages, (2) punitive damages, (3) recovery of real property, (4) recovery of personal property, or (5) a prejudgment writ of attachment. The identification of a case as a rule 3.740 collections case on this form means that it will be exempt from the general time-for-service requirements and case management rules, unless a defendant files a responsive pleading. A rule 3.740 collections case will be subject to the requirements for service and obtaining a judgment in rule 3.740.

To Parties in Complex Cases. In complex cases only, parties must also use the *Civil Case Cover Sheet* to designate whether the case is complex. If a plaintiff believes the case is complex under rule 3.400 of the California Rules of Court, this must be indicated by completing the appropriate boxes in items 1 and 2. If a plaintiff designates a case as complex, the cover sheet must be served with the complaint on all parties to the action. A defendant may file and serve no later than the time of its first appearance a joinder in the plaintiff's designation, a counter-designation that the case is not complex, or, if the plaintiff has made no designation, a designation that the case is complex.

CASE TYPES AND EXAMPLES

Auto Tort	Contract	Provisionally Complex Civil Litigation (Cal. Rules of Court Rules 3.400–3.403)
Auto (22)—Personal Injury/Property Damage/Wrongful Death	Breach of Contract/Warranty (06)	Antitrust/Trade Regulation (03)
Uninsured Motorist (46) (if the case involves an uninsured motorist claim subject to arbitration, check this item instead of Auto)	Breach of Rental/Lease Contract (not unlawful detainer or wrongful eviction)	Construction Defect (10)
	Contract/Warranty Breach—Seller Plaintiff (not fraud or negligence)	Claims Involving Mass Tort (40)
	Negligent Breach of Contract/Warranty	Securities Litigation (28)
Other PI/PD/WD (Personal Injury/Property Damage/Wrongful Death) Tort	Other Breach of Contract/Warranty	Environmental/Toxic Tort (30)
Asbestos (04)	Collections (e.g., money owed, open book accounts) (09)	Insurance Coverage Claims (arising from provisionally complex case type listed above) (41)
Asbestos Property Damage	Collection Case—Seller Plaintiff	Enforcement of Judgment
Asbestos Personal Injury/Wrongful Death	Other Promissory Note/Collections Case	Enforcement of Judgment (20)
Product Liability (not asbestos or toxic/environmental) (24)	Insurance Coverage (not provisionally complex) (18)	Abstract of Judgment (Out of County)
Medical Malpractice (45)	Auto Subrogation	Confession of Judgment (non-domestic relations)
Medical Malpractice—Physicians & Surgeons	Other Coverage	Sister State Judgment
Other Professional Health Care Malpractice	Other Contract (37)	Administrative Agency Award (not unpaid taxes)
Other PI/PD/WD (23)	Contractual Fraud	Petition/Certification of Entry of Judgment on Unpaid Taxes
Premises Liability (e.g., slip and fall)	Other Contract Dispute	Other Enforcement of Judgment Case
Intentional Bodily Injury/PD/WD (e.g., assault, vandalism)	Real Property	Miscellaneous Civil Complaint
Intentional Infliction of Emotional Distress	Eminent Domain/Inverse Condemnation (14)	RICO (27)
Negligent Infliction of Emotional Distress	Wrongful Eviction (33)	Other Complaint (not specified above) (42)
Other PI/PD/WD	Other Real Property (e.g., quiet title) (26)	Declaratory Relief Only
Non-PI/PD/WD (Other) Tort	Writ of Possession of Real Property	Injunctive Relief Only (non-harassment)
Business Tort/Unfair Business Practice (07)	Mortgage Foreclosure	Mechanics Lien
Civil Rights (e.g., discrimination, false arrest) (not civil harassment) (08)	Quiet Title	Other Commercial Complaint Case (non-tort/non-complex)
Defamation (e.g., slander, libel) (13)	Other Real Property (not eminent domain, landlord/tenant, or foreclosure)	Other Civil Complaint (non-tort/non-complex)
Fraud (16)	Unlawful Detainer	Miscellaneous Civil Petition
Intellectual Property (19)	Commercial (31)	Partnership and Corporate Governance (21)
Professional Negligence (25)	Residential (32)	Other Petition (not specified above) (43)
Legal Malpractice	Drugs (38) (if the case involves illegal drugs, check this item; otherwise, report as Commercial or Residential)	Civil Harassment
Other Professional Malpractice (not medical or legal)	Judicial Review	Workplace Violence
Other Non-PI/PD/WD Tort (35)	Asset Forfeiture (05)	Elder/Dependent Adult Abuse
Employment	Petition Re: Arbitration Award (11)	Election Contest
Wrongful Termination (36)	Writ of Mandate (02)	Petition for Name Change
Other Employment (15)	Writ—Administrative Mandamus	Petition for Relief from Late Claim
	Writ—Mandamus on Limited Court Case Matter	Other Civil Petition
	Writ—Other Limited Court Case Review	
	Other Judicial Review (39)	
	Review of Health Officer Order	
	Notice of Appeal—Labor	
	Commissioner Appeals	

BC 574 495

SHORT TITLE Guzman vs. Space Exploration Technologies Corp., et al.

CASE NUMBER

**CIVIL CASE COVER SHEET ADDENDUM AND
STATEMENT OF LOCATION
(CERTIFICATE OF GROUNDS FOR ASSIGNMENT TO COURTHOUSE LOCATION)**

This form is required pursuant to Local Rule 2.0 in all new civil case filings in the Los Angeles Superior Court.

Item I. Check the types of hearing and fill in the estimated length of hearing expected for this case:

JURY TRIAL? ☒ YES CLASS ACTION? ☐ YES LIMITED CASE? ☐ YES TIME ESTIMATED FOR TRIAL 5-7 ☐ HOURS/ ☒ DAYS

Item II. Indicate the correct district and courthouse location (4 steps – If you checked "Limited Case", skip to Item III, Pg. 4):

Step 1: After first completing the Civil Case Cover Sheet form, find the main Civil Case Cover Sheet heading for your case in the left margin below, and, to the right in Column A, the Civil Case Cover Sheet case type you selected.

Step 2: Check one Superior Court type of action in Column B below which best describes the nature of this case.

Step 3: In Column C, circle the reason for the court location choice that applies to the type of action you have checked. For any exception to the court location, see Local Rule 2.0.

Applicable Reasons for Choosing Courthouse Location (see Column C below)

- | | |
|--|--|
| 1. Class actions must be filed in the Stanley Mosk Courthouse, central district. | 6. Location of property or permanently garaged vehicle. |
| 2. May be filed in central (other county, or no bodily injury/property damage). | 7. Location where petitioner resides. |
| 3. Location where cause of action arose. | 8. Location wherein defendant/respondent functions wholly. |
| 4. Location where bodily injury, death or damage occurred. | 9. Location where one or more of the parties reside. |
| 5. Location where performance required or defendant resides. | 10. Location of Labor Commissioner Office |

Step 4: Fill in the information requested on page 4 in Item III; complete Item IV. Sign the declaration.

	A Civil Case Cover Sheet Category No.	B Type of Action (Check only one)	C Applicable Reasons – See Step 3/Above
Auto Tort	Auto (22)	<input type="checkbox"/> A7100 Motor Vehicle - Personal Injury/Property Damage/Wrongful Death	1., 2., 4.
	Uninsured Motorist (46)	<input type="checkbox"/> A7110 Personal Injury/Property Damage/Wrongful Death – Uninsured Motorist	1., 2., 4.
Other Personal Injury/Property Damage/Wrongful Death Tort	Asbestos (04)	<input type="checkbox"/> A6070 Asbestos Property Damage <input type="checkbox"/> A7221 Asbestos - Personal Injury/Wrongful Death	2. 2.
	Product Liability (24)	<input type="checkbox"/> A7260 Product Liability (not asbestos or toxic/environmental)	1., 2., 3., 4., 8.
	Medical Malpractice (45)	<input type="checkbox"/> A7210 Medical Malpractice - Physicians & Surgeons	1., 4.
		<input type="checkbox"/> A7240 Other Professional Health Care Malpractice	1., 4.
	Other Personal Injury Property Damage Wrongful Death (23)	<input type="checkbox"/> A7250 Premises Liability (e.g., slip and fall)	1., 4.
		<input type="checkbox"/> A7230 Intentional Bodily Injury/Property Damage/Wrongful Death (e.g., assault, vandalism, etc.)	1., 4.
		<input type="checkbox"/> A7270 Intentional Infliction of Emotional Distress	1., 3.
		<input type="checkbox"/> A7220 Other Personal Injury/Property Damage/Wrongful Death	1., 4.

SHORT TITLE: Guzman vs. Space Exploration Technologies Corp., et al.		CASE NUMBER
A Civil Case Cover Sheet Category No.	B Type of Action (Check only one)	C Applicable Reasons - See Step 3 Above
Non-Personal Injury/Property Damage/Wrongful Death Tort	Business Tort (07) <input type="checkbox"/> A6029 Other Commercial/Business Tort (not fraud/breach of contract)	1., 3.
	Civil Rights (08) <input type="checkbox"/> A6005 Civil Rights/Discrimination	1., 2., 3.
	Defamation (13) <input type="checkbox"/> A6010 Defamation (slander/libel)	1., 2., 3.
	Fraud (16) <input type="checkbox"/> A6013 Fraud (no contract)	1., 2., 3.
	Professional Negligence (25) <input type="checkbox"/> A6017 Legal Malpractice <input type="checkbox"/> A6050 Other Professional Malpractice (not medical or legal)	1., 2., 3. 1., 2., 3.
	Other (35) <input type="checkbox"/> A6025 Other Non-Personal Injury/Property Damage tort	2., 3.
Employment	Wrongful Termination (36) <input checked="" type="checkbox"/> A6037 Wrongful Termination	1., 2., 3.
	Other Employment (15) <input type="checkbox"/> A6024 Other Employment Complaint Case <input type="checkbox"/> A6109 Labor Commissioner Appeals	1., 2., 3. 10.
Contract	Breach of Contract/ Warranty (06) (not insurance) <input type="checkbox"/> A6004 Breach of Rental/Lease Contract (not unlawful detainer or wrongful eviction) <input type="checkbox"/> A6008 Contract/Warranty Breach -Seller Plaintiff (no fraud/negligence) <input type="checkbox"/> A6019 Negligent Breach of Contract/Warranty (no fraud) <input type="checkbox"/> A6028 Other Breach of Contract/Warranty (not fraud or negligence)	2., 5. 2., 5. 1., 2., 5. 1., 2., 5.
	Collections (09) <input type="checkbox"/> A6002 Collections Case-Seller Plaintiff <input type="checkbox"/> A6012 Other Promissory Note/Collections Case	2., 5., 6. 2., 5.
	Insurance Coverage (18) <input type="checkbox"/> A6015 Insurance Coverage (not complex)	1., 2., 5., 8.
	Other Contract (37) <input type="checkbox"/> A6009 Contractual Fraud <input type="checkbox"/> A6031 Tortious Interference <input type="checkbox"/> A6027 Other Contract Dispute(not breach/insurance/fraud/negligence)	1., 2., 3., 5. 1., 2., 3., 5. 1., 2., 3., 8.
	Eminent Domain/Inverse Condemnation (14) <input type="checkbox"/> A7300 Eminent Domain/Condemnation Number of parcels _____	2.
Real Property	Wrongful Eviction (33) <input type="checkbox"/> A6023 Wrongful Eviction Case	2., 6.
	Other Real Property (26) <input type="checkbox"/> A6018 Mortgage Foreclosure <input type="checkbox"/> A6032 Quiet Title <input type="checkbox"/> A6060 Other Real Property (not eminent domain, landlord/tenant, foreclosure)	2., 6. 2., 6. 2., 6.
	Unlawful Detainer-Commercial (31) <input type="checkbox"/> A6021 Unlawful Detainer-Commercial (not drugs or wrongful eviction)	2., 6.
Unlawful Detainer	Unlawful Detainer-Residential (32) <input type="checkbox"/> A6020 Unlawful Detainer-Residential (not drugs or wrongful eviction)	2., 6.
	Unlawful Detainer-Post-Foreclosure (34) <input type="checkbox"/> A6020F Unlawful Detainer-Post-Foreclosure	2., 6.
	Unlawful Detainer-Drugs (38) <input type="checkbox"/> A6022 Unlawful Detainer-Drugs	2., 6.

SHORT TITLE: Guzman vs. Space Exploration Technologies Corp., et al.		CASE NUMBER	
A Civil Case Cover Sheet Category No.	B Type of Action (Check only one)	C Applicable Reasons - See Step 3 Above	
Judicial Review	Asset Forfeiture (05) <input type="checkbox"/> A6108 Asset Forfeiture Case	2., 6.	
	Petition re Arbitration (11) <input type="checkbox"/> A6115 Petition to Compel/Confirm/Vacate Arbitration	2., 5.	
	Writ of Mandate (02) <input type="checkbox"/> A6151 Writ - Administrative Mandamus <input type="checkbox"/> A6152 Writ - Mandamus on Limited Court Case Matter <input type="checkbox"/> A6153 Writ - Other Limited Court Case Review	2., 8. 2. 2.	
	Other Judicial Review (39) <input type="checkbox"/> A6150 Other Writ /Judicial Review	2., 8.	
Provisionally Complex Litigation	Antitrust/Trade Regulation (03) <input type="checkbox"/> A6003 Antitrust/Trade Regulation	1., 2., 8.	
	Construction Defect (10) <input type="checkbox"/> A6007 Construction Defect	1., 2., 3.	
	Claims Involving Mass Tort (40) <input type="checkbox"/> A6006 Claims Involving Mass Tort	1., 2., 8.	
	Securities Litigation (28) <input type="checkbox"/> A6035 Securities Litigation Case	1., 2., 8.	
	Toxic Tort Environmental (30) <input type="checkbox"/> A6036 Toxic Tort/Environmental	1., 2., 3., 8.	
	Insurance Coverage Claims from Complex Case (41) <input type="checkbox"/> A6014 Insurance Coverage/Subrogation (complex case only)	1., 2., 5., 8.	
Enforcement of Judgment	<input type="checkbox"/> A6141 Sister State Judgment <input type="checkbox"/> A6160 Abstract of Judgment <input type="checkbox"/> A6107 Confession of Judgment (non-domestic relations) <input type="checkbox"/> A6140 Administrative Agency Award (not unpaid taxes) <input type="checkbox"/> A6114 Petition/Certificate for Entry of Judgment on Unpaid Tax <input type="checkbox"/> A6112 Other Enforcement of Judgment Case	2., 9. 2., 6. 2., 9. 2., 8. 2., 8. 2., 8., 9.	
	RICO (27) <input type="checkbox"/> A6033 Racketeering (RICO) Case	1., 2., 8.	
	Miscellaneous Civil Complaints	<input type="checkbox"/> A6030 Declaratory Relief Only	1., 2., 8.
		<input type="checkbox"/> A6040 Injunctive Relief Only (not domestic/harassment)	2., 8.
		<input type="checkbox"/> A6011 Other Commercial Complaint Case (non-tort/non-complex) <input type="checkbox"/> A6000 Other Civil Complaint (non-tort/non-complex)	1., 2., 8. 1., 2., 8.
	Partnership Corporation Governance (21) <input type="checkbox"/> A6113 Partnership and Corporate Governance Case	2., 8.	
Miscellaneous Civil Petitions	<input type="checkbox"/> A6121 Civil Harassment <input type="checkbox"/> A6123 Workplace Harassment <input type="checkbox"/> A6124 Elder/Dependent Adult Abuse Case <input type="checkbox"/> A6190 Election Contest <input type="checkbox"/> A6110 Petition for Change of Name <input type="checkbox"/> A6170 Petition for Relief from Late Claim Law <input type="checkbox"/> A6100 Other Civil Petition	2., 3., 9. 2., 3., 9. 2., 3., 9. 2. 2., 7. 2., 3., 4., 8. 2., 9.	

SHORT TITLE: Guzman vs. Space Exploration Technologies Corp., et al.

CASE NUMBER

Item III. Statement of Location: Enter the address of the accident, party's residence or place of business, performance, or other circumstance indicated in Item II., Step 3 on Page 1, as the proper reason for filing in the court location you selected.

REASON: Check the appropriate boxes for the numbers shown under Column C for the type of action that you have selected for this case.

☐ 1. ☒ 2. ☐ 3. ☐ 4. ☐ 5. ☐ 6. ☐ 7. ☐ 8. ☐ 9. ☐ 10.

ADDRESS: 1 Rocket Road

CITY:

Hawthorne

STATE:

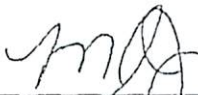
CA

ZIP CODE:

90250

Item IV. Declaration of Assignment: I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct and that the above-entitled matter is properly filed for assignment to the Stanley Mosk courthouse in the Central District of the Superior Court of California, County of Los Angeles [Code Civ. Proc., § 392 et seq., and Local Rule 2.0, subds. (b), (c) and (d)].

Dated: March 6, 2014


(SIGNATURE OF ATTORNEY/FILING PARTY)
Michael G. Jacob, Esq.

PLEASE HAVE THE FOLLOWING ITEMS COMPLETED AND READY TO BE FILED IN ORDER TO PROPERLY COMMENCE YOUR NEW COURT CASE:

1. Original Complaint or Petition.
2. If filing a Complaint, a completed Summons form for issuance by the Clerk.
3. Civil Case Cover Sheet, Judicial Council form CM-010.
4. Civil Case Cover Sheet Addendum and Statement of Location form, LACIV 109, LASC Approved 03-04 (Rev. 03/11).
5. Payment in full of the filing fee, unless fees have been waived.
6. A signed order appointing the Guardian ad Litem, Judicial Council form CIV-010, if the plaintiff or petitioner is a minor under 18 years of age will be required by Court in order to issue a summons.
7. Additional copies of documents to be conformed by the Clerk. Copies of the cover sheet and this addendum must be served along with the summons and complaint, or other initiating pleading in the case.

CONFORMED COPY
ORIGINAL FILED
Superior Court of California
Los Angeles

MAR 24 2015

Sherri R. Carter, Executive Officer/Clerk

NOTICE SENT TO:

Kesluk, Silverstein & Jacob, P.C.
9255 Sunset Boulevard, Suite 411
Los Angeles CA 90069-3309

SUPERIOR COURT OF CALIFORNIA, COUNTY OF LOS ANGELES

GILBERT GUZMAN

Plaintiff(s),

VS.

SPACE EXPLORATION TECHNOLOGIES CORP
Defendant(s).

CASE NUMBER

BC574495

NOTICE OF CASE
MANAGEMENT CONFERENCE

TO THE PLAINTIFF(S)/ATTORNEY(S) FOR PLAINTIFF(S) OF RECORD:

You are ordered to serve this notice of hearing on all parties/attorneys of record forthwith, and meet and confer with all parties/attorneys of record about the matters to be discussed no later than 30 days before the Case Management Conference.

Your Case Management Conference has been scheduled for June 9, 2015 at 8:30 am in Dept. 72
at 111 North Hill Street, Los Angeles, California 90012.

NOTICE TO DEFENDANT: THE SETTING OF THE CASE MANAGEMENT CONFERENCE DOES NOT EXEMPT THE
DEFENDANT FROM FILING A RESPONSIVE PLEADING AS REQUIRED BY LAW.

Pursuant to California Rules of Court, rules 3.720-3.730, a completed Case Management Statement (Judicial Council form # CM-110) must be filed at least 15 calendar days prior to the Case Management Conference. The Case Management Statement may be filed jointly by all parties/attorneys of record or individually by each party/attorney of record. You must be familiar with the case and be fully prepared to participate effectively in the Case Management Conference.

At the Case Management Conference, the Court may make pretrial orders including the following, but not limited to, an order establishing a discovery schedule; an order referring the case to Alternative Dispute Resolution (ADR); an order reclassifying the case; an order setting subsequent conference and the trial date; or other orders to achieve the goals of the Trial Court Delay Reduction Act (Gov. Code, section 68600 et seq.)

Notice is hereby given that if you do not file the Case Management Statement or appear and effectively participate at the Case Management Conference, the Court may impose sanctions pursuant to LASC Local Rule 7.13, Code of Civil Procedure sections 177.5, 575.2, 583.150, 583.360 and 583.410, Government Code Section 68608 (b), and California Rules of Court 2.2 et seq.

Date: March 24, 2015

RUTH A. KWAN

Judicial Officer

CERTIFICATE OF SERVICE

I, the below named Executive Officer/Clerk of the above-entitled court, do hereby certify that I am not a party to the cause herein, and that on this date I served the Notice of Case Management Conference upon each party or counsel named above:

☒ by depositing in the United States mail at the courthouse in Los Angeles, California, one copy of the original filed herein in a separate sealed envelope to each address as shown above with postage thereon fully prepaid.

[] by personally giving the party notice upon filing the complaint.

Date: March 24, 2015

Sherri R. Carter, Executive Officer/Clerk

by M. Rodriguez, Deputy Clerk

I am a resident of the State of California, over the age of eighteen years, and not a party to the within action. I am employed in the office of a member of the bar of this court at whose direction this service was made. My business address is 9255 Sunset Boulevard, Suite 411, Los Angeles, California 90069.

On March 26, 2015, I served the following documents on all interested parties in this action as follows: NOTICE OF CASE MANAGEMENT CONFERENCE

/ X / (BY MAIL) I am readily familiar with the firm's practice of collection and processing correspondence for mailing. Under that practice it would be deposited with U.S. Postal Service on that same day with postage thereon fully prepaid at Los Angeles, California, in the ordinary course of business. I am aware that on motion of the party served, service is presumed invalid if the postal cancellation date or postage meter date is more than one day after date of deposit for mailing affidavit.

/ / (BY PERSONAL SERVICE) I caused to be delivered by an authorized courier or driver of EXPRESS NETWORK the documents listed above to be received and delivered on the same date by the person(s) listed below.

1 / (BY FEDERAL EXPRESS) I am readily familiar with the firm's practice
for collection and processing correspondence by overnight delivery.
Under that practice it would be deposited in a box or other facility
regularly maintained by Federal Express for overnight delivery.

/ / (BY ELECTRONIC SERVICE) Based on a court order or an agreement of the parties to accept electronic service, I caused the documents to be sent to the persons at the electronic service addresses listed below.

SEE ATTACHED SERVICE LIST

I declare under penalty of perjury under the laws of the United States of America and the State of California that the above is true and correct. Executed on March 26, 2015, at Los Angeles, California,


Michael Bew

GILBERT GUZMAN vs. SPACE EXPLORATION TECHNOLOGIES
CORP., et al.,
CASE NO. BC574495

SERVICE LIST

Christopher Cardaci, Senior Counsel
SpaceX
1030 15th Street NW Suite 220E
Washington, D.C. 20005
Telephone: 202-649-2716
[Attorneys for Defendant SPACE EXPLORATION TECHNOLOGIES CORP.]

FILEDSuperior Court of California
County of Los Angeles
FILE STAMP

MAR 24 2015

Sherri R. Carter, Executive Officer/Clerk
By M. Rodriguez Deputy
Maria Rodriguez

NOTICE SENT TO:

Kesluk, Silverstein & Jacob, P.C.
9255 Sunset Boulevard, Suite 411
Los Angeles CA 90069-3309

SUPERIOR COURT OF CALIFORNIA, COUNTY OF LOS ANGELES

GILBERT GUZMAN

Plaintiff(s),

VS.

SPACE EXPLORATION TECHNOLOGIES CORP
Defendant(s).

CASE NUMBER

BC574495

ORDER TO SHOW CAUSE HEARING

To the party/attorney of record: Douglas N. SilversteinYou are ordered to appear for an Order to Show Cause Hearing on May 11, 2015 at 8:30 am in Dept. 72 of this court, Central District, 111 North Hill Street, Los Angeles, California 90012, and show cause why sanctions should not be imposed for:Failure to file Proof of Service of [] Petition ☒ Summons and ☒ Complaint [] Cross-Complaint pursuant to California Rules of Court, rule 3.110(b) and (c) as to: as to Space Exploration Technologies Corp. and DOES 1 through 60

Failure to comply or appear may result in sanctions, pursuant to one or more of the following: California Rules of Court, rule 2.30, and rule 3.1340; Code of Civil Procedure sections 177.5, 575.2, 583.150, 583.310, 583.360, 583.410, 583.420, 583.430; and Government Code section 68608.

☒ To avoid a mandatory appearance all required documents must be filed in [] this Dept. ☒ Clerk's Office, Room 102 at least 5 court days prior to the date of the hearing.

[] The Court may infer from your failure to appear that possession of the premises is no longer at issue, and that your case is not entitled to preference in setting pursuant to Code of Civil Procedure section 1179a.

[] You are ordered to give notice of said hearing forthwith to any party served with summons and complaint prior to OSC Hearing and file a Proof of Service in this department or Clerk's Office at least 5 court days prior to the date of the hearing.

Dated: March 24, 2015

CERTIFICATE OF MAILING

Judicial Officer

RUTH A. KWAN

I, the below named Executive Officer/Clerk of the above-entitled court, do hereby certify that I am not a party to the cause herein, and that on this date I served the Order to Show Cause Hearing upon each party or counsel named above by depositing in the United States mail at the courthouse in Los Angeles, California, one copy of the original filed/entered herein in a separate sealed envelope to each address as shown above with the postage thereon fully prepaid.

Date: March 24, 2015

Sherri R. Carter, EXECUTIVE OFFICER/CLERK

By M. Rodriguez, Deputy Clerk

ORDER TO SHOW CAUSE HEARING

LACIV 166-1 (Rev. 09/08)
LASC Approved 06-04LASC Local Rules, Chapter 7
Cal. Rules of Court, rule 2.30

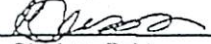
SENDER: COMPLETE THIS SECTION	COMPLETE THIS SECTION ON DELIVERY
<ul style="list-style-type: none">■ Complete items 1, 2, and 3. Also complete item 4 if Restricted Delivery is desired.■ Print your name and address on the reverse so that we can return the card to you.■ Attach this card to the back of the mailpiece, or on the front if space permits.	A. Signature X <i>C. Cardaci</i> <input type="checkbox"/> Agent <input type="checkbox"/> Addressee
1. Article Addressed to:	B. Received by (Printed Name) C. Date of Delivery 3/6/15
Christopher Cardaci SpaceX 1030 15th Street, NW, Suite 220E Washington, D.C.	D. Is delivery address different from item 1? <input type="checkbox"/> Yes If YES, enter delivery address below: <input type="checkbox"/> No
2. Article Number (Transfer from service label)	3. Service Type <input checked="" type="checkbox"/> Certified Mail® <input type="checkbox"/> Priority Mail Express™ <input type="checkbox"/> Registered <input checked="" type="checkbox"/> Return Receipt for Merchandise <input type="checkbox"/> Insured Mail <input type="checkbox"/> Collect on Delivery
7013 2630 0002 3346 2660	4. Restricted Delivery? (Extra Fee) <input type="checkbox"/> Yes
PS Form 3811, July 2013	Domestic Return Receipt

1 Douglas N. Silverstein, Esq. (SBN 181957)
 2 Michael G. Jacob, Esq. (SBN 229939)
 3 KESLUK, SILVERSTEIN & JACOB, P.C.
 4 9255 Sunset Boulevard, Suite 411
 5 Los Angeles, California 90069-3309
 6 Telephone: (310) 273-3180
 7 Facsimile: (310) 273-6137
 8 dsilverstein@californialaborlawattorney.com
 9 mjacob@californialaborlawattorney.com

10 Attorneys for Plaintiff GILBERT GUZMAN

FILED
 Superior Court of California
 County of Los Angeles

MAR 27 2015

Sherril R. Carter, Executive Officer/Clerk
 By , Deputy
 Glorietta Robinson

8 SUPERIOR COURT OF THE STATE OF CALIFORNIA
 9 COUNTY OF LOS ANGELES – CENTRAL DISTRICT

10 GILBERT GUZMAN, an individual,
 11 Plaintiff,

12 v.

13 SPACE EXPLORATION
 14 TECHNOLOGIES CORP., a Delaware
 15 Corporation; and DOES 1 through 60,
 16 inclusive,
 17 Defendants.

CASE NO. BC 574495

*[Assigned to Department 72 - Honorable Ruth
 Ann Kwan, Judge, for all Purposes]*

PROOF OF SERVICE OF NOTICE OF CASE
 MANAGEMENT CONFERENCE

Complaint filed: March 9, 2015
 Trial Date: Not Set

I am a resident of the State of California, over the age of eighteen years, and not a party to the within action. I am employed in the office of a member of the bar of this court at whose direction this service was made. My business address is 9255 Sunset Boulevard, Suite 411, Los Angeles, California 90069.

On March 26, 2015, I served the following documents on all interested parties in this action as follows: **NOTICE OF CASE MANAGEMENT CONFERENCE**

/ X / (BY MAIL) I am readily familiar with the firm's practice of collection and processing correspondence for mailing. Under that practice it would be deposited with U.S. Postal Service on that same day with postage thereon fully prepaid at Los Angeles, California, in the ordinary course of business. I am aware that on motion of the party served, service is presumed invalid if the postal cancellation date or postage meter date is more than one day after date of deposit for mailing affidavit.

/ / (BY PERSONAL SERVICE) I caused to be delivered by an authorized courier or driver of EXPRESS NETWORK the documents listed above to be received and delivered on the same date by the person(s) listed below.

1 / (BY FEDERAL EXPRESS) I am readily familiar with the firm's practice
2 for collection and processing correspondence by overnight delivery.
3 Under that practice it would be deposited in a box or other facility
4 regularly maintained by Federal Express for overnight delivery.

/ / (BY ELECTRONIC SERVICE) Based on a court order or an agreement of the parties to accept electronic service, I caused the documents to be sent to the persons at the electronic service addresses listed below.

SEE ATTACHED SERVICE LIST

I declare under penalty of perjury under the laws of the United States of America and the State of California that the above is true and correct. Executed on March 26, 2015, at Los Angeles, California,


Michael Bew

GILBERT GUZMAN vs. SPACE EXPLORATION TECHNOLOGIES
CORP., et al.,
CASE NO. BC574495

SERVICE LIST

Christopher Cardaci, Senior Counsel
SpaceX
1030 15th Street NW Suite 220E
Washington, D.C. 20005
Telephone: 202-649-2716
[Attorneys for Defendant SPACE EXPLORATION TECHNOLOGIES CORP.]

POS-010

ATTORNEY OR PARTY WITHOUT ATTORNEY (Name, State Bar number, and address): Douglas N. Silverstein, Esq. (SBN 181957) Michael G. Jacob, Esq. (SBN 229939) KESLUK, SILVERSTEIN & JACOB, P.C. 9255 Sunset Boulevard, Suite 411 Los Angeles, CA 90069 TELEPHONE NO.: (310) 273-3180 FAX NO. (Optional): (310) 273-6137 E-MAIL ADDRESS (Optional): mjacob@californialaborlawattorney.com ATTORNEY FOR (Name): Plaintiff GILBERT GUZMAN		FOR COURT USE ONLY FILED Superior Court of California County of Los Angeles APR 02 2015 Sherri R. Carter, Executive Officer/Clerk By: <u>Glorietta Robinson</u> , Deputy
SUPERIOR COURT OF CALIFORNIA, COUNTY OF Los Angeles STREET ADDRESS: 111 North Hill Street MAILING ADDRESS: CITY AND ZIP CODE: Los Angeles, CA 90012 BRANCH NAME: Stanley Mosk Courthouse		
PLAINTIFF/PETITIONER: Gilbert Guzman DEFENDANT/RESPONDENT: Space Exploration Technologies Corp., et al.		CASE NUMBER: BC 574495
PROOF OF SERVICE OF SUMMONS		Ref. No. or File No.: <u>72</u>

(Separate proof of service is required for each party served.)

- At the time of service I was at least 18 years of age and not a party to this action.
- I served copies of:
 - ☒ summons
 - ☒ complaint
 - ☐ Alternative Dispute Resolution (ADR) package
 - ☒ Civil Case Cover Sheet (served in complex cases only)
 - ☐ cross-complaint
 - ☒ other (specify documents): Voluntary Efficient Litigation Stipulations, Civil Case Cover Sheet Addendum, Notice of Case Assignment
- Party served (specify name of party as shown on documents served): SPACE EXPLORATION TECHNOLOGIES CORP.
 - ☒ Person (other than the party in item 3a) served on behalf of an entity or as an authorized agent (and not a person under item 5b on whom substituted service was made) (specify name and relationship to the party named in item 3a): Christopher Cardaci, Esq., attorney for Defendant authorized to accept service
- Address where the party was served: 1030 15th Street, NW, Suite 220E, Washington, D.C. 20005
- I served the party (check proper box)
 - ☐ by personal service. I personally delivered the documents listed in item 2 to the party or person authorized to receive service of process for the party (1) on (date): _____ (2) at (time): _____
 - ☐ by substituted service. On (date): _____ at (time): _____ I left the documents listed in item 2 with or in the presence of (name and title or relationship to person indicated in item 3): _____
 - ☐ (business) a person at least 18 years of age apparently in charge at the office or usual place of business of the person to be served. I informed him or her of the general nature of the papers.
 - ☐ (home) a competent member of the household (at least 18 years of age) at the dwelling house or usual place of abode of the party. I informed him or her of the general nature of the papers.
 - ☐ (physical address unknown) a person at least 18 years of age apparently in charge at the usual mailing address of the person to be served, other than a United States Postal Service post office box. I informed him or her of the general nature of the papers.
 - ☐ I thereafter mailed (by first-class, postage prepaid) copies of the documents to the person to be served at the place where the copies were left (Code Civ. Proc., § 415.20). I mailed the documents on (date): _____ from (city): _____ or ☐ a declaration of mailing is attached.
 - ☐ I attach a declaration of diligence stating actions taken first to attempt personal service.

Page 1 of 2

PLAINTIFF/PETITIONER: Gilbert Guzman

CASE NUMBER:

BC 574495

DEFENDANT/RESPONDENT: Space Exploration Technologies Corp., et al.

5. c. ☒ by mail and acknowledgment of receipt of service. I mailed the documents listed in item 2 to the party, to the address shown in item 4, by first-class mail, postage prepaid.

(1) on (date): March 16, 2015

(2) from (city): Los Angeles

(3) ☐ with two copies of the *Notice and Acknowledgment of Receipt* and a postage-paid return envelope addressed to me. (Attach completed *Notice and Acknowledgment of Receipt*.) (Code Civ. Proc., § 415.30.)(4) ☒ to an address outside California with return receipt requested. (Code Civ. Proc., § 415.40.)

- d. ☐ by other means (specify means of service and authorizing code section):

☐ Additional page describing service is attached.

6. The "Notice to the Person Served" (on the summons) was completed as follows:

a. ☐ as an individual defendant.

b. ☐ as the person sued under the fictitious name of (specify):

c. ☐ as occupant.

d. ☒ On behalf of (specify): SPACE EXPLORATION TECHNOLOGIES CORP.

under the following Code of Civil Procedure section:

☒ 416.10 (corporation)

☐ 415.95 (business organization, form unknown)

☐ 416.20 (defunct corporation)

☐ 416.60 (minor)

☐ 416.30 (joint stock company/association)

☐ 416.70 (ward or conservatee)

☐ 416.40 (association or partnership)

☐ 416.90 (authorized person)

☐ 416.50 (public entity)

☐ 415.46 (occupant)

☐ other:

7. Person who served papers

a. Name: Michael Bew

b. Address: 9255 Sunset Boulevard, Suite 411, Los Angeles, CA 90069

c. Telephone number: (310) 273-3180

d. The fee for service was: \$ 0.00

e. I am:

(1) ☒ not a registered California process server.

(2) ☐ exempt from registration under Business and Professions Code section 22350(b).

(3) ☐ registered California process server:

(i) ☐ owner ☐ employee ☐ independent contractor.

(ii) Registration No.:

(iii) County:

8. ☒ I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct.

or

9. ☒ I am a California sheriff or marshal and I certify that the foregoing is true and correct.

Date: April 2, 2015

Michael Bew

(NAME OF PERSON WHO SERVED PAPERS/SHERIFF OR MARSHAL)

(SIGNATURE)

SUPERIOR COURT OF CALIFORNIA, COUNTY OF LOS ANGELES

DATE: 04/07/15

DEPT. 72

HONORABLE RUTH ANN KWAN

JUDGE

S. BARRERA

DEPUTY CLERK

HONORABLE
#15

JUDGE PRO TEM

ELECTRONIC RECORDING MONITOR

NONE

Deputy Sheriff

NONE

Reporter

2:10 pm

BC574495

Plaintiff
Counsel

NO APPEARANCES

GILBERT GUZMAN

VS

Defendant

SPACE EXPLORATION TECHNOLOGIES
CORP

Counsel

NATURE OF PROCEEDINGS:

COURT ORDER RE: PROOF OF SERVICE;

Pursuant to the proof of service filed on 4/2/2015,
the Court orders the Order to Show Cause scheduled
for May 11, 2015 is advanced this date and is
vacated.

Notice is deemed waived.

04/09/2015